

REMARKS

The present application is U.S. Serial No. 10/706,672, filed November 11, 2003. Claims 1-33 are pending in the application. Claims 1-33 are rejected. Claim 20 is objected to. Applicant respectfully traverses these rejections.

Claim Rejections Under 35 U.S.C. 101

Claims 14-18 are rejected under 35 U.S.C. 101 as not falling within one of the four statutory categories of invention. In response, Applicant asserts that the claims are tied to an apparatus, namely to a display device, a sensor, and transparent aperture. Further, the display device is transformed when displays the image and the transparent aperture is transformed when it is cleaned. Removal of the rejection of claims 14-18 is respectfully requested.

Claim Rejections Under 35 U.S.C. 112

Claim 8 is rejected under 35 U.S.C. 112 as failing to comply with the written description requirement. In response, Applicant asserts that Figure 3 shows cleaning mechanism (24) within housing (12). Paragraph [0030] states that cleaning mechanism (24) is located above the sensors (14), but paragraph [0030] does not state or suggest that the cleaning mechanism is outside the housing. In fact, Figure 3 shows the cleaning mechanism within the housing. Removal of the rejection of claim 8 is respectfully requested.

Claim Rejections Under 35 U.S.C. 103

Claims 1-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sankrithi et al. (6405975), (hereinafter referred to as "Sankrithi") in view of Ramachandran et al. (6405975), (hereinafter referred to as "Ramachandran").

Claims 1-7

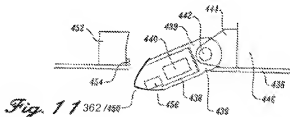
Independent claim 1 as amended recites

- "a protective housing enclosing the at least one sensor, wherein the protective housing further comprises a transparent aperture through which the at least one sensor captures images, wherein the transparent aperture further comprises a transparent conical surface that rotates about a drive shaft along the axis of the conical surface;
- a cleaning mechanism operable to remove obstructions from the transparent aperture without interfering with the field of view of the at least one sensor".

Claim 1 is supported by at least paragraph [0030] and Figures 3 and 4 of the specification. Paragraph [0030] and Figure 4 submitted herewith have been amended to replace reference number 43 with reference number 26 and to show axis 28 (as originally described in paragraph [0030]). No new matter has been added.

The aperture 450 of Sankrithi is a slightly curved lens at one end of housing 438 that is cleaned by a rubbery squeegee type cleaner 454 as the opposite end of housing 438 rotates at pin 442. (See Sankrithi FIG.11 and col. 9 lines 1-15). If the lens in Sankrithi is replaced with the bullet shaped nose portion 362 of housing 360 in Ramachandran as suggested in paragraph 1 of the Office Action, the tip of the bullet shaped nose portion 362 would rotate upward and downward. In contrast, the aperture in claim 1 rotates about the conical axis of the aperture.

Further, the combination of Sankrithi and Ramachandran does not teach all of the claim limitations because cleaning the tip of nose portion 362 interferes with the field of view of the sensor.



KOESTNER BERTANI LLP

2192 Martin Street
SUITE 190
BUNNE, CA 92602
TEL (949) 251-7500
FAX (949) 251-0200

Further, if any other portion beside the tip of the bullet shaped nose were dirty, the squeegee in Sankrithi would not be able to remove obstructions from the transparent aperture so that the sensor 456 could capture images, as required in claim 1. Additionally, the nose portion in Ramachandran is not fabricated from transparent material and the cylindrical portions 370 (FIG. 10 in Ramachandran) protruding from the nose portion would interfere with the line of sight of the sensor. Thus, the cited references do not anticipate or make obvious the features set forth in claim 1.

Claims 2-7 depend from claim 1 and include features that further distinguish them from the cited references.

Similar to claim 1, independent claims 8, 14, 19, and 31 also include a conical aperture or surface that rotates about the axis of the conical surface. Claims 8, 14, 19, and 31 are distinguishable from Sankrithi and Ramachandran, alone and in combination, for at least the same reasons set forth hereinabove for claim 1.

Claims 9-13, 15-18, 20-30, and 32-33 depend from respective claims 8, 14, 19, and 31 and include features that further distinguish them from the cited references.

CONCLUSION

Applicant believes the application including claims 1-33 is in condition for allowance and notice to that effect is solicited. In the event it would facilitate prosecution of this application, the Examiner is invited to telephone the undersigned at (949) 350-7301.

I hereby certify that this correspondence is being transmitted to the USPTO on the date shown below:

/Mary Jo Bertani/
(Signature)

Mary Jo Bertani
(Printed Name of Person Signing Certificate)

May 4, 2009
(Date)

Respectfully submitted,

/Mary Jo Bertani/

Mary Jo Bertani
Attorney for Applicant(s)
Reg. No. 42,321

KOESTNER BERTANI LLP
2192 Marin Street
SUITE 100
REDWOOD CITY, CA 94063
TEL (650) 355-7301
FAX (650) 251-0200